

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

021770-000120US

I hereby certify that this correspondence is being transmitted to the  
USPTO via EFS-Web.

on April 9, 2010

Signature

Typed or printed

name Joy A. Roeder

In re Application of EITAN KONSTANTINO et al.

Application Number 10/810,330

Filed June 25, 2004

For APPARATUS AND METHODS FOR TREATING  
HARDENED VASCULAR LESIONS

Art Unit 3731

Examiner NGUYEN, VI X

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 540

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced  
by half, and the resulting fee is:

\$ 270

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
to Deposit Account No. 20-1430.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 29,541

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

James M. Heslin

Typed or printed name

650.326.2400

Telephone number

April 9, 2010

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.